

1 AN ACT to amend the Sick Leave Bank Act by changing  
2 Section 10.

3 Be it enacted by the People of the State of Illinois,  
4 represented in the General Assembly:

5 Section 5. The Sick Leave Bank Act is amended by  
6 changing Section 10 as follows:

7 (5 ILCS 400/10) (from Ch. 127, par. 4260)

8 Sec. 10. Administration of Act. The Department shall  
9 establish a plan allowing participating employees in each  
10 Agency to bank a designated amount or portion of their  
11 accrued sick leave in a sick leave bank to be used by any  
12 participating employee in the Agency who has exhausted his or  
13 her accrued vacation time, personal days, sick leave and  
14 compensatory time. The Department shall promulgate rules  
15 governing the operation of the plan subject, however, to the  
16 following restrictions and limitations:

17 (a) Participation in the sick leave bank shall, at all  
18 times, be voluntary on the part of any employee.

19 (b) A participating employee may deposit into the sick  
20 leave bank as much accrued sick leave as desired provided  
21 that the participating employee shall retain in his or her  
22 own account at least 5 ±10 sick days.

23 (c) Any sick leave in the sick leave bank used by a  
24 participating employee shall be only for that employee's  
25 personal catastrophic illness or injury.

26 (d) A participating employee shall not use sick leave  
27 accumulated in the sick leave bank until all of his or her  
28 accrued vacation time, personal days, sick leave and  
29 compensatory time have been used.

30 (e) Injuries and illnesses that are compensable under  
31 the Workers' Compensation Act or Workers' Occupational

1 Diseases Act shall not be eligible for sick leave bank use.

2 (f) Participating employees who transfer from one Agency  
3 to another may transfer their participation in the sick leave  
4 bank.

5 (g) An employee who cancels his or her participation in  
6 the sick leave bank shall not be eligible to withdraw the  
7 sick leave time he or she has contributed to the pool.

8 (h) Any abuse of the use of the sick leave bank shall be  
9 investigated by the Agency and the Department and upon a  
10 finding of wrongdoing on the part of a participating  
11 employee, that employee shall repay all sick leave days drawn  
12 from the sick leave bank and shall be subject to other  
13 disciplinary action.

14 (i) Provisions for appeal of adverse decisions affecting  
15 a participating employee's use of the sick leave bank shall  
16 be made by rule adopted by the Department.

17 (j) Accumulation of sick leave in the sick leave bank  
18 shall be on an Agency by Agency basis but procedures adopted  
19 by rule for the operation of the sick leave bank shall be  
20 uniform among all Agencies.

21 (k) Upon termination, retirement, or death, neither a  
22 participating employee nor the participating employee's  
23 estate shall be entitled to payment for unused sick leave  
24 acquired from the sick leave bank.

25 (Source: P.A. 87-822.)

26 Section 99. Effective date. This Act takes effect upon  
27 becoming law.